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AUG 5 - 2011
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USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 8/8/11

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MEMO ENDORSED

Extension granted.

August 5, 2011

VIA FACSIMILE TO (212) 805-6326

The Honorable Colleen McMahon
United States District Judge
United States District Court for the Southern District of New York
500 Pearl Street
New York, New York 10007

Colleen McMahon
8/8/11

Re: Thomas Oakley *et al.* v. Verizon Communications Inc., *et al.*
09 Civ. 9175 (CM-MHD)

Dear Judge McMahon:

As Your Honor knows, this firm represents Defendants in the above referenced action. We are in receipt of this Court's Order dated July 22, 2011 (the "July 22 Order"), granting Plaintiffs' request for an extension, up to and including August 6, 2011, to file their revised Memorandum of Law in support of their Motion for Class Certification. The July 22 Order further indicated that the Court would be inclined to grant "any extension needed to accommodate the defense team" in connection with Defendants' filing of their Opposition to Plaintiffs' Motion for Class Certification (the "Opposition"). At present, Defendants' Opposition is due on August 8, 2011, only two days after Plaintiffs' deadline of August 6, 2011. Pursuant to the Court's July 22 Order, we write to request an extension of time, up to and including September 9, 2011, to file Defendants' Opposition.

As explained in Plaintiffs' letter requesting the aforementioned extension, Defendants objected to that request because prolonging Plaintiffs' deadline led to a briefing schedule that conflicted with vacation and other commitments of defense counsel. Those scheduling conflicts remain, and in addition, Verizon in-house counsel is fully engaged in collective bargaining negotiations with Plaintiffs' union, the Communications Workers of America (the "CWA").

In addition, given that Plaintiffs are redrafting their brief, Defendants may well need to make substantial revisions to the partially completed opposition papers. Under the prior briefing schedule approved by Your Honor (ECF No. 40), Defendants were allotted two months to draft their opposition papers. Although we do not now seek another two months to respond, we do seek



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an extension until September 9, 2011, so that Defendants are not unfairly prejudiced by the confluence of vacation plans, critical labor negotiations and receipt of a substantially revised brief.

Thank you for Your Honor's courtesy in considering this request.

Respectfully submitted,

SEYFARTH SHAW LLP

s/ Lorie E. Almon

Lorie E. Almon

cc: Daniel Clifton (via email)
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